

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

IN RE GOOGLE INC. COOKIE PLACEMENT
CONSUMER PRIVACY LITIGATION

C.A. No. 12-MD-02358 (SLR)

This Document Relates To:
All Actions

NOBLES v. GOOGLE INC. and POINTROLL, INC.

C.A. No. 12-CV-01000 (SLR)

DOGGA and BERMUDEZ v. GOOGLE INC.

C.A. No. 12-CV-01003 (SLR)

**MOTION FOR CONSOLIDATION PURSUANT TO
FED. R. CIV. P. 42(a) AND APPOINTMENT OF
INTERIM CLASS COUNSEL PURSUANT TO FED. R. CIV. P. 23(g)**

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DATED: AUGUST 28, 2012

Plaintiffs in the 16 actions identified in Attachment A (the “Moving Plaintiffs”) respectfully submit this motion to appoint Interim Co-Lead Counsel and Interim Liaison Counsel in *In re Google Inc. Cookie Placement Consumer Privacy Litig.* (hereinafter the “MDL”) and to consolidate two newly transferred actions with the MDL.

1. On June 12, 2012, the United States Judicial Panel on Multidistrict Litigation (“JPML”) issued an order pursuant to 28 U.S.C. § 1401 transferring the MDL and associated actions to this Court, finding that these actions involve common questions of fact and that centralization in this Court will eliminate duplicative discovery, prevent inconsistent pretrial rulings, including with respect to class certification, and conserve the resources of the parties, their counsel, and the judiciary.

2. On July 27, 2012, pursuant to a stipulation among counsel, this Court consolidated 22 of these actions with the MDL for all pretrial purposes. *See* MDL D.I. 22.

3. Two additional actions were transferred to this Court by the JPML and were not included in the July 27, 2012 stipulation. *See Dogga and Bermudez v. Google Inc.*, No. 3:12-cv-01046 (D. Conn.) (MDL D.I. 20); *Nobles v. Google, Inc. and Pointroll, Inc.*, No. 12-cv-03589 (N.D. Cal.) (MDL D.I. 23).

3. In the July 27, 2012 stipulation, Plaintiffs represented that they anticipated filing a joint proposal for the Court’s appointment of Lead Counsel, but in the event Plaintiffs’ counsel could not reach agreement on an organizational structure, Plaintiffs would file motions and other papers as appropriate. *See* MDL D.I. 22, ¶ 12.

4. Counsel for the plaintiffs in 14 of the 22 consolidated actions, and as well as counsel for plaintiffs in the two new actions, *Dogga* and *Nobles* have reached an agreement on an organizational structure and respectfully request the appointment of Interim Co-Lead Counsel as follows:

- (a) An Executive Committee consisting of:
 - (i) Keefe Bartels, LLC;
 - (ii) Bartimus, Frickleton, Robertson & Gorny, P.C.; and
 - (iii) Strange & Carpenter
- (b) A Plaintiffs' Steering Committee consisting of:
 - (i) David Straite, of the firm Stewarts Law US LLP;
 - (ii) Jonathan Shub, of the firm Seeger Weiss LLP;
 - (iii) Barry Eichen, of the firm Eichen, Crutchlow, Zaslow & McElroy, LLP;
 - (iv) William "Billy" Murphy, of the firm Murphy, P.A.;
 - (v) Mark Bryant, of the firm The Bryant Law Center, PSC; and
 - (vi) Jay Barnes, of the firm Barnes & Associates.

5. Moving Plaintiffs also respectfully request that Plaintiffs' Steering Committee member Stewarts Law US LLP, through its Wilmington, Delaware office, be appointed Interim Liaison Counsel for the Class.

6. Moving Plaintiffs also respectfully request that *Dogga* and *Nobles* be consolidated with the MDL for all pretrial purposes consistent with paragraph 11 the stipulation of July 27, 2012, and a deadline of October 22, 2012 be set for the filing of a consolidated class action complaint.

Dated: August 28, 2012

Respectfully submitted,

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ATTACHMENT A

Burdick v. Google Inc., C.A. No. 1:12-cv-798

Dogga v. Google Inc., C.A. No. 1:12-cv-1003

Franchise Dynamics LLC v. Google Inc., C.A. No. 1:12-cv-793

Glaser v. Google Inc., C.A. No. 1:12-cv-667

Gourley v. Google Inc., C.A. No. 1:12-cv-794

Heretick v. Google Inc., C.A. No. 1:12-cv-791

Krause v. Google Inc., C.A. No. 1:12-cv-789

Landrum v. Google Inc., C.A. No. 1:12-cv-962

Martorana v. Google Inc., C.A. No. 1:12-cv-744

Movitz v. Google Inc., C.A. No. 1:12-cv-743

Nobles v. Google Inc., C.A. No. 1:12-cv-1000

Rischar v. Google Inc., C.A. No. 1:12-cv-742

Soble v. Google Inc., C.A. No. 1:12-cv-200

Sossin v. Google Inc., C.A. No. 1:12-cv-797

Villegas v. Google Inc., C.A. No. 1:12-cv-739

Yngelmo v. Google Inc., C.A. No. 1:12-cv-745